



Reprinted  
January 24, 2007

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## SENATE BILL No. 192

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DIGEST OF SB 192 (Updated January 23, 2007 2:16 pm - DI 71)

**Citations Affected:** IC 20-26; IC 20-34.

**Synopsis:** School safety. Requires school corporations to abate certain school building safety violations that are not immediate safety hazards before the earlier of: (1) one year after the state fire marshal's determination; or (2) the start of the school corporation's next budget year. Requires at least one: (1) tornado preparedness drill; and (2) manmade occurrence disaster drill; during each semester of school.

**Effective:** July 1, 2007.

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**Lubbers, Kruse, Alting**

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January 8, 2007, read first time and referred to Committee on Education and Career Development.  
January 18, 2007, reported favorably — Do Pass.  
January 23, 2007, read second time, amended, ordered engrossed.

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SB 192—LS 7264/DI 109+



First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

## SENATE BILL No. 192

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A BILL FOR AN ACT to amend the Indiana Code concerning education.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 20-26-7-27.5 IS ADDED TO THE INDIANA  
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2007]: **Sec. 27.5. (a) Notwithstanding any**  
4 **other law, if:**

5 (1) **as a result of an inspection of a school building under**  
6 **IC 22-14-2-11 that is not an inspection to determine**  
7 **compliance with a legal standard for accreditation, the**  
8 **division of fire and building safety of the department of**  
9 **homeland security determines that there is a violation of a fire**  
10 **safety law at the school building;**

11 (2) **the fire safety law that the division determines has been**  
12 **violated at the school building incorporates a standard that:**

13 (A) **was not a fire safety law at the time of the construction**  
14 **or renovation of the school building and is being applied**  
15 **retroactively to the building by an employee of the division**  
16 **of fire and building safety; or**

17 (B) **previously was not applicable to the building; and**

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1           **(3) the violation is not a condition that creates an immediate**  
 2           **safety hazard and is corrected under daily maintenance and**  
 3           **supervision;**  
 4           **the school corporation shall abate the violation before the earlier**  
 5           **of one (1) year after the violation determination or the start of the**  
 6           **school corporation's next budget year following the violation**  
 7           **determination.**

8           **(b) The expense of the abatement may be paid out of funds**  
 9           **appropriated for such purposes in the budget year following a**  
 10           **violation determination under subsection (a).**

11           SECTION 2. IC 20-34-3-20, AS ADDED BY P.L.1-2005,  
 12           SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 13           JULY 1, 2007]: Sec. 20. (a) The governing body of a school  
 14           corporation shall require each school in the governing body's  
 15           jurisdiction to conduct periodic fire drills during the school year in  
 16           compliance with rules adopted under IC 4-22-2 by the state board.

17           **(b) Each school and attendance center shall conduct at least:**  
 18           **(1) one (1) tornado preparedness drill; and**  
 19           **(2) one (1) manmade occurrence disaster drill;**  
 20           **during each semester.**

21           ~~(b)~~ (c) The governing body of a school corporation shall require  
 22           each principal to file a certified statement that ~~fire~~ **all** drills have been  
 23           conducted as required under this section.

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## SENATE MOTION

Madam President: I move that Senator Kruse be added as coauthor of Senate Bill 192.

LUBBERS

## SENATE MOTION

Madam President: I move that Senator Alting be added as coauthor of Senate Bill 192.

LUBBERS

## COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill No. 192, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 192 as introduced.)

LUBBERS, Chairperson

Committee Vote: Yeas 8, Nays 0.

## SENATE MOTION

Madam President: I move that Senate Bill 192 be amended to read as follows:

Page 1, line 4, delete "if, as a result of an inspection of a school building under" and insert "if:".

Page 1, delete lines 5 through 11, begin a new line block indented and insert:

**"(1) as a result of an inspection of a school building under IC 22-14-2-11 that is not an inspection to determine compliance with a legal standard for accreditation, the division of fire and building safety of the department of homeland security determines that there is a violation of a fire safety law at the school building;**

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**(2) the fire safety law that the division determines has been violated at the school building incorporates a standard that:**

**(A) was not a fire safety law at the time of the construction or renovation of the school building and is being applied retroactively to the building by an employee of the division of fire and building safety; or**

**(B) previously was not applicable to the building; and**

**(3) the violation is not a condition that creates an immediate safety hazard and is corrected under daily maintenance and supervision;**

**the school corporation shall abate the violation before the earlier of one (1) year after the violation determination or the start of the school corporation's next budget year following the violation determination."**

(Reference is to SB 192 as printed January 19, 2007.)

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